

EXHIBIT 31

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

NETLIST, INC., (CAUSE NO. 2:21-CV-463-JRG
)
Plaintiff, ()
vs. ()
SAMSUNG ELECTRONICS CO., LTD., ()
et al., () MARSHALL, TEXAS
() APRIL 17, 2023
Defendants. () 8:30 A.M.

VOLUME 2

TRIAL ON THE MERITS

BEFORE THE HONORABLE RODNEY GILSTRAP
UNITED STATES CHIEF DISTRICT JUDGE
and a jury

SHAWN McROBERTS, RMR, CRR
100 E. HOUSTON STREET
MARSHALL, TEXAS 75670
(903) 923-8546
shawn_mcroberts@txed.uscourts.gov

1 (The following was had in the presence and hearing
2 of the jury.)

3 THE COURT: All right. Redirect examination by the
4 Plaintiff.

5 REDIRECT EXAMINATION

6 BY MR. MANZIN-MONNIN:

7 Q. Good afternoon, Doctor.

8 A. Good afternoon, sir.

9 Q. What do you consider when determining the value of a
10 patent?

11 A. Well, what I do is one of the things is I consider what
12 are called non-infringing alternatives, could somebody go down
13 another path.

14 Q. And as part of your analysis, do you try to figure out
15 which of the individual elements of the claim is unique?

16 A. No. I look at the claim.

17 Q. Counsel asked you about a reference named Harris. Do you
18 recall that?

19 A. Yes, I do.

20 Q. Now, does Harris teach the '918 and '054 inventions?

21 A. No.

22 Q. Is Samsung alleging that Harris teaches the inventions?

23 A. No.

24 Q. Has Harris ever been implemented in a product?

25 A. No.

1 Q. Would Harris work if it were implemented in a DDR5 DIMM?

2 MR. McKEON: Your Honor, objection.

3 THE COURT: I think we covered this enough. Let's
4 move on. You objected to Defendants' use of it as an improper
5 reference. You've addressed it enough. Let's move on.

6 MR. MANZIN-MONNIN: Thank you, Your Honor.

7 There was a second reference that made the same points.

8 THE COURT: Then don't go any further with the
9 second reference than you did with that one.

10 Q. (BY MR. MANZIN-MONNIN) You recall counsel asked you
11 about a second reference, Amidi?

12 A. Yes.

13 Q. Does Amidi teach the '918 and '054 inventions?

14 A. No.

15 Q. Is Samsung alleging that Amidi teaches the inventions?

16 A. No.

17 Q. Has Amidi ever been implemented in a product?

18 A. No.

19 MR. MANZIN-MONNIN: And could we bring up PDX 4.52?

20 Q. (BY MR. MANZIN-MONNIN) Now, counsel showed you this
21 figure here on the right and suggested that the LDO -- nowhere
22 in this document does it say it's a converter circuit. Do you
23 recall that?

24 A. Yes.

25 Q. And did we see testimony from Renesas' engineer on this

1 point?

2 A. Yes. He said that it was a converter.

3 MR. MANZIN-MONNIN: And let's bring up JTX 11 at
4 page 69. And if you could zoom in on the figure, please.

5 Q. (BY MR. MANZIN-MONNIN) And counsel asked you about this
6 figure here, which is the circuitry of the LDO. Correct?

7 A. Yes.

8 Q. And is there a -- excuse me. Is there a switch in the
9 circuitry for this LDO?

10 A. Yes.

11 MR. MANZIN-MONNIN: Could we have slide 1 of the
12 redirect module, please?

13 Q. (BY MR. MANZIN-MONNIN) Now, counsel for Samsung
14 suggested that the '918 and '054 Patents are about
15 non-volatile memory. I think they said that holds pictures
16 and emails and things like that. Do you recall that?

17 A. Yes.

18 Q. And what is the patent describing here?

19 A. The patent is describing that it writes data to
20 non-volatile storage, which is not part of the memory
21 subsystem.

22 Q. So in this embodiment of the patent, the non-volatile
23 memory is not on that memory module. Is that right?

24 A. That's right. And it's not even flash; it's a hard disk.

25 MR. MANZIN-MONNIN: Let's flip to the next slide,

1 please.

2 Q. (BY MR. MANZIN-MONNIN) And is there any non-volatile
3 memory shown in these embodiments?

4 A. No, other than the configuration data on the FPGA, which
5 we discussed previously, I believe.

6 Q. Okay. So there's some flash located in the FPGA that
7 holds configuration information?

8 MR. McKEON: Objection, leading, Your Honor.

9 THE COURT: Sustained.

10 Q. (BY MR. MANZIN-MONNIN) Is there a non-volatile memory
11 located in the block 1070, the FPGA?

12 A. Yes, but it's not used to store things like email or
13 images.

14 Q. And the primary memory here is the volatile -- what is
15 the primary memory in figure 15A?

16 A. That would be the DRAM.

17 MR. MANZIN-MONNIN: And could we bring up PTX 1820?
18 You know what? Let's bring up the slides from opening on that
19 document. One moment.

20 Your Honor, may I walk over to counsel table to get
21 something?

22 THE COURT: You may.

23 MR. MANZIN-MONNIN: Thank you.

24 I just want to -- hold one moment, please.

25 We need to seal the courtroom again for this. Sorry,